

Message Text

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ACTION OES-07

INFO OCT-01 ARA-10 EUR-12 EA-10 ISO-00 ACDA-12 AGRE-00

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DLOS-09 DODE-00 DOTE-00 EB-08 EPA-01 SOE-02

DOE-11 FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13

JUSE-00 L-03 NSAE-00 NSF-01 OMB-01 PA-01 PM-05

PRS-01 SP-02 SS-15 NSCE-00 SSO-00 USIE-00 INRE-00

/146 W

-----122497 012233Z /72

O 012032Z FEB 78

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC IMMEDIATE 4620

INFO ALL EC CAPITALS

AMEMBASSY BRASILIA

AMEMBASSY GEORGETOWN

AMEMBASSY MEXICO

AMEMBASSY PARAMARIBO

AMEMBASSY SEOUL

AMEMBASSY TOKYO

AMCONSUL MARTINIQUE

LIMITED OFFICIAL USE SECTION 01 OF 05 BRUSSELS 02005

USEEC

DEPT. FOR OES/OFA AND EUR/RPE

PASS COMMERCE/NMFS

E.O. 11652: N/A

TAGS: EEC, FG, EFIS

SUBJECT: SHRIMPING OFF FRENCH GUIANA

REF: (A) REAMS/MONKS TELECON OF 1/31/78, (B) BRUSSELS

1821, (C) STATE 24425, (D) BRUSSELS 1511

1. EC COMMISSION FISHERY OFFICIAL FARNELL FORMALLY

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PRESENTED TO MISSION OFFICER FEBRUARY 1 A COPY OF THE

REGULATION GOVERNING FRENCH GUIANA SHRIMPING APPROVED

BY THE JANUARY 30-31 EC FISHERY COUNCIL (FULL TEXT AT

PARA 5 BELOW). FARNELL APOLOGIZED FOR LACK OF WRITTEN

DIPLOMATIC NOTE COVERING NEW EC RULES AND PROCEDURES FOR

SHRIMPING ACTIVITY BY U.S. VESSELS, BUT DID PROVIDE THE

FOLLOWING ORAL EXPLANATORY REMARKS:

(A) THE U.S. HAS BEEN PROVIDED A QUOTA OF 491 METRIC TONS OF SHRIMP FOR THE PERIOD FEBRUARY 1 THROUGH MAY 31, 1978.

(B) THOSE U.S. VESSELS WHICH HAVE HABITUALLY LANDED THEIR CATCHES IN FRENCH GUIANA (TOTAL OF 54, ACCORDING TO EC), CAN BE LICENSED UNTIL MAY 31, WITH NO RESTRICTIONS ON NUMBERS OF DAYS EACH CAN CARRY OUT SHRIMPING ACTIVITY.

(C) ON THE BASIS OF FISHING PLANS SUBMITTED TO THE COMMISSION FOR APPROVAL, THE U.S. MAY BE AUTHORIZED LICENSES FOR ADDITIONAL VESSELS (ONE VESSEL ONLY PER LICENSE), PROVIDED THE TOTAL NUMBER OF FISHING DAYS UNDER THESE ADDITIONAL LICENSES DOES NOT EXCEED 1297. (FOR EXAMPLE: 40 VESSELS LICENSED FOR 30 DAYS, 2 VESSELS LICENSED FOR 10 DAYS, AND 7 VESSELS LICENSED FOR 11 DAYS; TOTAL OF 1297 FISHING DAYS; FARNELL OFFERED NO EXPLANATION OF HOW FIGURE OF 1297 FISHING DAYS WAS DERIVED.)

(D) THE COMMISSION, WHICH IS RESPONSIBLE FOR ADMINISTRATION OF THE LICENSING SYSTEM, WILL ASSUME THAT ALL VESSELS LICENSED UNDER THIS FISHING PLAN SYSTEM ARE ACTUALLY FISHING. EACH DAY FOR WHICH A VESSEL IS LICENSED WILL THEREFORE COUNT AGAINST THE 1297 TOTAL, LIMITED OFFICIAL USE

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UNLESS THE COMMISSION IS INFORMED THAT THE VESSEL HAS BEEN WITHDRAWN FROM THE FRENCH GUIANA FISHERY.

(E) ALL LICENSES, INCLUDING BOTH THOSE ISSUED UNDER THE FISHING PLAN SYSTEM AND THE 54 ISSUED PER SUBPARA (B) . ABOVE, WILL CEASE TO BE VALID AS SOON AS THE 491 TON U.S. QUOTA IS EXHAUSTED. THE COMMISSION WILL THEREFORE STRICTLY ENFORCE CATCH REPORTING REQUIREMENTS.

(F) IN ORDER TO ALLOW SMOOTH TRANSITION TO THIS NEW LICENSING SYSTEM, THE VALIDITY OF EXISTING LICENSES HAS BEEN EXTENDED UNTIL THE END OF FEBRUARY. HOWEVER, 31 OF THE 85 LICENSES NOW HELD BY U.S. VESSELS WILL COUNT AGAINST THE 1297 FISHING DAY TOTAL UNLESS THE COMMISSION IS NOTIFIED THAT SOME OR ALL OF THESE LICENSES ARE BEING RETURNED.

2. MISSION OFFICER POINTED OUT TO FARNELL THAT, SINCE U.S. WAS NOT NOTIFIED OF NEW REGULATION UNTIL LATE FEBRUARY 1, WE ASSUME COMMISSION WILL ALLOW GRACE PERIOD BEFORE IT BEGINS COUNTING VESSEL FISHING DAYS AGAINST THE 1297 CEILING, IN ORDER TO ALLOW TIME FOR TERMS OF

NEW REGULATION TO BE CONVEYED TO VESSEL OWNERS. FARNELL INDICATED THAT, ALTHOUGH THIS QUESTION HAS NOT BEEN ADDRESSED BY COMMISSION OFFICIALS, HE ASSUMES THERE MAY BE "SOME LEEWAY" IN ENFORCEMENT OF THIS REQUIREMENT, DEPENDING UPON HOW QUICKLY U.S. RESPONDS WITH NOTIFICATION OF HOW MANY VESSELS IT WISHES TO HAVE LICENSED, BEYOND THE 54 NOT SUBJECT TO THE FISHING DAY CEILING. HE SAID COMMISSION ASSUMES THAT U.S. SHRIMPING INDUSTRY WILL WISH TO CONCENTRATE ITS ACTIVITY IN EARLY PART OF PERIOD COVERED BY REGULATION, SINCE SHRIMP ARE CONCENTRATED IN FRENCH GUIANA WATERS AT THAT TIME, AND THAT IT THEREFORE SEEMS LIKELY THAT, DURING THIS INITIAL PERIOD, INDUSTRY WILL WANT MORE THAN THE 31 EXTRA LICENSES IT NOW HOLDS.

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ACTION OES-07

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DLOS-09 DODE-00 DOTE-00 EB-08 EPA-01 SOE-02

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JUSE-00 L-03 NSAE-00 NSF-01 OMB-01 PA-01 PM-05

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-----122522 012233Z /72

O 012032Z FEB 78

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC IMMEDIATE 4621

INFO ALL EC CAPITALS

AMEMBASSY BRASILIA

AMEMBASSY GEORGETOWN

AMEMBASSY MEXICO

AMEMBASSY PARAMARIBO

AMEMBASSY SEOUL

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3. ACTION REQUESTED:

(A) MISSION WOULD APPRECIATE DEPARTMENT'S GUIDANCE CONCERNING POSSIBILITY OF REQUESTING ADDITIONAL LICENSES UNDER FISHING PLAN SYSTEM. WE WILL, IN THE MEANTIME DELAY SUBMISSION OF VESSEL NAMES CONTAINED REF C.

(B) MISSION WILL PROCEED WITH LICENSE SUBSTITUTION
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REQUESTS CONTAINED PARA 3, REF C, AND WILL NOTIFY COMMISSION OF WITHDRAWAL OF THREE VESSELS FROM FRENCH GUIANA FISHERY. WE NOTE THAT THESE VESSELS (MISS CARIE II, MISS JENNY, AND JOHN SCOTT) WERE ISSUED NAMED LICENSES LAST OCTOBER; THESE SHOULD BE POUCHED TO MISSION FOR RETURN TO THE COMMISSION.

4. REGIONAL MEETING ON SHRIMP FISHERY: FARNELL TOLD MISSION OFFICER THAT COMMISSION WILL TAKE ONE MORE SOUNDING OF BRAZILIAN MISSION IN BRUSSELS CONCERNING POSSIBLE REGIONAL MEETING TO DISCUSS BRAZIL-GUIANAS SHRIMP FISHERY (REF D), THIS TIME BY TELEPHONE CALL FROM EXTERNAL FISHERY DIRECTOR SIMONET TO BRAZILIAN AMBASSADOR. IF, AS EXPECTED, BRAZILIANS CONTINUE TO EVINCE NO INTEREST IN SUCH A MEETING, COMMISSION WILL GO AHEAD WITH PROPOSAL TO THE COUNCIL FOR A MEETING WITHOUT BRAZILIAN PARTICIPATION. FARNELL POINTED OUT THAT CONSIDERATIONS FOR SUCH A MEETING ARE MORE COMPLICATED THAT COMMISSION HAD ORIGINALLY THOUGHT, IN VIEW POSSIBLE INVOLVEMENT OF INTERNATIONAL BODIES HAVING AN INTEREST IN THE SHRIMP FISHERY (HE MENTIONED THE UNITED NATIONS FOOD AND AGRICULTURAL ORGANIZATION).

5. FOLLOWING IS TEXT OF REGULATION APPROVED BY JANUARY 30-31 EC FISHERY COUNCIL:

BEGIN UNCLASSIFIED:

BEGIN TEXT:

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAVING REGARD TO THE TREATY ESTABLISHING THE EUROPEAN
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ECONOMIC COMMUNITY,

HAVING REGARD TO THE ACT OF ACCESSION,

HAVING REGARD TO THE PROPOSAL FROM THE COMMISSION,

WHEREAS THE COUNCIL ADOPTED, ON 3 NOVEMBER 1976, A SET OF
RESOLUTIONS CONCERNING CERTAIN EXTERNAL AND
INTERNAL ASPECTS OF THE COMMON FISHERIES POLICY;

WHEREAS IN REGULATION (EEC) NO. 1014/77 (1), THE COUNCIL
LAID DOWN, UNTIL 30 JUNE 1977, CERTAIN INTERIM MEASURES
FOR THE CONSERVATION AND MANAGEMENT OF FISHERY RESOURCES
APPLICABLE TO VESSELS FLYING THE FLAG OF CERTAIN THIRD
COUNTRIES IN THE 200-MILE ZONE SITUATED OFF THE COAST OF
THE FRENCH DEPARTMENT OF GUYANA;

WHEREAS IN REGULATION (EEC) NO. 2971/77 (2) THE COUNCIL
LAST EXTENDED THE ARRANGEMENTS ESTABLISHED BY REGULATION
(EEC) NO. 1014/77 UNTIL 31 JANUARY 1978;

WHEREAS THE ABOVE REGULATIONS WERE ADOPTED IN ORDER TO
ESTABLISH INTERIM MEASURES PENDING NEGOTIATIONS BETWEEN
THE COMMUNITY AND THE COUNTRIES CONCERNED IN ORDER TO
CONCLUDE FISHERY AGREEMENTS IN THE ZONE UNDER CONSIDERA-
TION; THAT PENDING THESE NEGOTIATIONS AND TO AVOID AN
INTERRUPTION OF FISHING INTERIM MEASURES SHOULD BE
ESTABLISHED FOR A FURTHER PERIOD;

WHEREAS THE GOVERNMENTS OF BARBADOS, OF GUYANA AND OF
TRINIDAD AND TOBAGO HAVE REQUESTED THE COMMUNITY FOR
FISHING POSSIBILITIES IN THE ABOVE-MENTIONED ZONE FOR
VESSELS FLYING THEIR FLAG;

WHEREAS VESSELS OF THESE COUNTRIES HAVE ALSO IN THE PAST
FISHED FOR SHRIMPS IN THESE WATERS;
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WHEREAS THE COMMUNITY WISHES TO CONTRIBUTE TO THE
CONTINUATION OF THIS ACTIVITY, GIVEN ITS IMPORTANCE
FOR THE ECONOMIC DEVELOPMENT OF THESE COUNTRIES, AND

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JUSE-00 L-03 NSAE-00 NSF-01 OMB-01 PA-01 PM-05
PRS-01 SP-02 SS-15 NSCE-00 SSO-00 USIE-00 INRE-00
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O 012032Z FEB 78
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC IMMEDIATE 4622
INFO ALL EC CAPITALS
AMEMBASSY BRASILIA
AMEMBASSY GEORGETOWN
AMEMBASSY MEXICO
AMEMBASSY PARAMARIBO
AMEMBASSY SEOUL
AMEMBASSY TOKYO
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THEY SHOULD THEREFORE BE INCLUDED AMONG THE
COUNTRIES WHOSE VESSELS ARE AUTHORIZED TO FISH IN
THIS ZONE;

WHEREAS CONTINUED SUPPLIES FOR THE INDUSTRIES INSTALLED
WITHIN THE TERRITORY OF THE FRENCH DEPARTMENT OF GUYANA
SHOULD BE ENSURED,
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HAS ADOPTED THIS REGULATION:

ARTICLE I

1. THE ONLY CATCHES WHICH VESSELS FLYING THE FLAG OF A THIRD COUNTRY SHALL BE AUTHORIZED TO TAKE IN THE FISHING ZONE EXTENDING 200 NAUTICAL MILES FROM THE BASE LINES OF THE FRENCH DEPARTMENT OF GUYANA AND COVERED BY COMMUNITY RULES ON FISHERIES ARE LAID DOWN IN THE ANNEX.

2. THE FISHING QUOTAS SHALL BE GRANTED SUBJECT TO COMPLIANCE WITH THE CONSERVATION AND SURVEILLANCE MEASURES AND ALL OTHER PROVISIONS GOVERNING FISHING IN THE ZONES REFERRED TO IN PARAGRAPH 1.

ARTICLE 2

1. FISHING WITHIN THE FISHING ZONE REFERRED TO IN ARTICLE 1 SHALL BE SUBJECT TO THE POSSESSION OF A LICENSE ISSUED BY THE COMMISSION ON BEHALF OF THE COMMUNITY, AND TO OBSERVANCE OF THE CONDITIONS SET OUT IN THE LICENSE.

THESE LICENSES ARE ISSUED TO THE AUTHORITIES OF THE THIRD COUNTRIES CONCERNED ON DEMAND WITHIN THE LIMITS INDICATED IN PARAGRAPHS 2 AND 3.

2. FOR FISHING TUNA-LIKE SPECIES LICENSES SHALL BE ISSUED FOR THE NUMBER OF VESSELS LAID DOWN FOR EACH THIRD COUNTRY IN PARAGRAPH 2 OF THE ANNEX.

3. FOR SHRIMPS FISHING LICENSES MAY BE ISSUED:
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(A) TO THE VESSELS WHICH HAVE HABITUALLY LANDED THEIR CATCHES IN THE FRENCH DEPARTMENT OF GUYANA, THE NUMBER OF WHICH IS LAID DOWN BY COUNTRY IN PARAGRAPH 3 OF THE ANNEX. THESE LICENSES SHALL BE VALID FROM THE DATE OF ISSUE UNTIL 31 MAY 1978;

(B) TO VESSELS OTHER THAN THOSE REFERRED TO IN SUB-PARAGRAPH (A), ON THE BASIS OF A FISHING PLAN PRESENTED BY THE AUTHORITIES OF THE COUNTRY CONCERNED AND APPROVED BY THE COMMISSION WHICH MAY NOT PROVIDE FOR A TOTAL NUMBER OF FISHING DAYS FOR ALL OF THE VESSELS COVERED BY THE FISHING PLAN WHICH EXCEEDS THE LIMIT INDICATED IN PARAGRAPH 4 OF THE ANNEX. THE VALIDITY OF EACH OF THE LICENSES ISSUED ON THE BASIS OF A FISHING

PLAN SHALL BE LIMITED TO THE FISHING PERIOD PROVIDED FOR
IN THE PLAN.

4. NOTWITHSTANDING PARAGRAPH 3, ALL LICENSES ISSUED TO
THE VESSELS OF A THIRD COUNTRY SHALL CEASE TO BE VALID
AS SOON AS IT IS ESTABLISHED THAT THE QUOTA REFERRED TO
IN ARTICLE 1 IS EXHAUSTED.

THE COMMISSION SHALL INFORM THE AUTHORITIES OF THE COUNTRY
CONCERNED THEREOF.

ARTICLE 3

WHEN AN APPLICATION FOR A LICENSE IS SUBMITTED TO
THE COMMISSION THE FOLLOWING INFORMATION SHALL BE
SUPPLIED:

(A) NAME OF VESSEL,
(B) REGISTRATION NUMBER,
(C) EXTERNAL IDENTIFICATION LETTERS AND NUMBERS,
(D) PORT OF REGISTRATION,
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(E) NAME AND ADDRESS OF THE OWNER OR CHARTERER,
(F) GROSS TONNAGE AND OVERALL LENGTH,
(G) ENGINE POWER,
(H) CALL SIGN AND RADIO FREQUENCY,
(I) INTENDED METHOD OF FISHING,
(J) INTENDED AREA OF FISHING,

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PRS-01 SP-02 SS-15 NSCE-00 SSO-00 USIE-00 INRE-00
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(K) SPECIES WHICH IT IS INTENDED TO FISH,
(L) PERIOD FOR WHICH A LICENSE IS REQUESTED.

ARTICLE 4

EACH LICENSE SHALL BE VALID FOR ONE VESSEL ONLY. WHEN
SEVERAL VESSELS ARE TAKING PART IN THE SAME FISHING
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OPERATION, EACH VESSEL MUST BE IN POSSESSION OF A LICENSE.

ARTICLE 5

1. THE LICENSE HOLDER SHALL COMPLY WITH THE CONDITIONS
OF THE LICENSE AND COMMUNICATE TO A RADIO STATION
OF THE MEMBER STATE REFERRED TO IN ARTICLE 6 THE INFOR-
MATION SPECIFIED THEREIN.

2. THE AUTHORITIES OF THE MEMBER STATE REFERRED TO IN
ARTICLE 6 SHALL IMMEDIATELY AND DIRECTLY COMMUNICATE
TO THE COMMISSION THE INFORMATION REFERRED TO IN
PARAGRAPH 1.

ARTICLE 6

THE AUTHORITIES OF THE MEMBER STATE WHICH EXERCISES
SOVEREIGNTY OR JURISDICTION IN THE ZONE COVERED BY THIS
REGULATION SHALL TAKE APPROPRIATE MEASURES TO ENSURE
THE IMPLEMENTATION OF ARTICLE 1, INCLUDING THE REGULAR

INSPECTION OF VESSELS.

ARTICLE 7

1. THE AUTHORITIES OF THE MEMBER STATE REFERRED TO IN ARTICLE 6 SHALL INFORM THE COMMISSION OF ANY INFRINGEMENT OR IRREGULARITY WITHIN 24 HOURS OF ITS DETECTION, AS WELL AS THE NAME OF THE VESSEL INVOLVED AND DETAILS OF ANY ACTION TAKEN.

2. IN THE EVENT OF IT BEING DULY ESTABLISHED THAT THERE HAS BEEN NON-COMPLIANCE THE LICENSE SHALL BE WITHDRAWN BY THE ISSUING AUTHORITY.

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ARTICLE 8

1. THE VALIDITY OF THE LICENSES ISSUED BY THE COMMISSION UNDER REGULATION (EEC) NO. 2159/77 (1) IS HEREBY EXTENDED UNTIL 28 FEBRUARY 1978 UNLESS THEY ARE RETURNED BEFORE THAT DATE BY THE THIRD COUNTRY CONCERNED.

2. THE NUMBER OF DAYS OF VALIDITY OF THE LICENSES REFERRED TO IN PARAGRAPH 1 SHALL BE COUNTED AGAINST THE LIMIT FOR FISHING DAYS LAID DOWN IN PARAGRAPH 4 OF THE ANNEX; HOWEVER, RETURNED LICENSES SHALL NOT BE SO COUNTED WITH EFFECT FROM THE DATE ON WHICH THE COMMISSION RECEIVES NOTIFICATION THEREOF.

ARTICLE 9

THIS REGULATION SHALL ENTER INTO FORCE ON 1 FEBRUARY 1978.

THIS REGULATION SHALL BE BINDING IN ITS ENTIRETY AND DIRECTLY APPLICABLE IN ALL MEMBER STATES.

DONE AT BRUSSELS,

FOR THE COUNCIL

THE PRESIDENT

ANNEX

1. FISHING POSSIBILITIES FOR THE PERIOD FROM 1 FEBRUARY TO 31 MAY 1978:

(A) SPECIES: TUNA-LIKE SPECIES

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COUNTRY: JAPAN
KOREA
VENEZUELA

(B) SPECIES: SHRIMPS QUANTITY (IN 1000 KG.)

COUNTRY: BARBADOS	46
GUYANA	46
JAPAN	184
KOREA	141
SURINAM	46
TRINIDAD AND TOBAGO	46
UNITED STATES OF AMERICA	491

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2. NUMBER OF VESSELS REFERRED TO IN ARTICLE 2(2):

JAPAN	5
KOREA	23
VENEZUELA	15

3. VESSELS REFERRED TO IN ARTICLE 2(3)(A):
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UNITED STATES 54

4. MAXIMUM NUMBER OF FISHING DAYS REFERRED TO IN
ARTICLE 2(3)(B):

BARBADOS	607
GUYANA	607
JAPAN	1553
KOREA	1741
SURINAM	607
TRINIDAD AND TOBAGO	607
UNITED STATES OF AMERICA	1297

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Message Attributes

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Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SHELLFISH, FISHING REGULATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 01 feb 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Review Exemptions: n/a
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Review Withdrawn Fields: n/a
SAS ID: 3447168
Secure: OPEN
Status: NATIVE
Subject: SHRIMPING OFF FRENCH GUIANA
TAGS: EFIS, FG, EEC
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/0f7908ce-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
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20 Mar 2014
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